

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NO.
		70059USPCT U.S. APPLICATION NO. 10/522094
INTERNATIONAL APPLICATION NO. PCT/EP03/008197	INTERNATIONAL FILING DATE 25 July 2003	PRIORITY DATE CLAIMED 26 July 2002
TITLE OF INVENTION CLUBROOT RESISTANT BRASSICA OLERACEA PLANTS		
APPLICANT(S) FOR DO/EO/US LINDERS et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau)
 - b. ☒ has been communicated by the International Bureau
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau)
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items of information: Submission of Sequence Listing Including Statement of Verification; Express Mail Certificate; Credit Card Payment Form; and Return Postcard

US APPLICATION NO: 10/522094		INTERNATIONAL APPLICATION NO. PCT/JP03/008197		ATTORNEY'S DOCKET NO. 70059USPCT	
21. The following fees are submitted:					
<input type="checkbox"/> a) Basic National fee.....				\$300.00	
<input type="checkbox"/> b) Examination fee.....				\$200.00	
<input type="checkbox"/> c) Search fee.....				\$500.00	
TOTAL OF THE ABOVE CALCULATIONS =				\$1000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	37 - 20 =	17	x \$50.00		\$850.00
Independent Claims	7 - 3 =	4	x \$200.00		\$800.00
MULTIPLE DEPENDENT CLAIM(S)			+ \$360.00		\$
TOTAL OF THE ABOVE CALCULATIONS =				\$2650.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$2650.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	
TOTAL NATIONAL FEE =				\$2650.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$2650.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1744. A duplicate copy of this sheet is enclosed.

d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

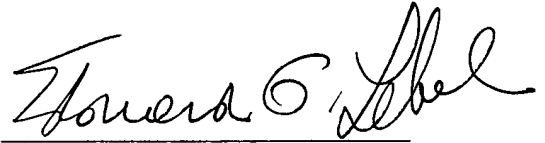
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Syngenta Biotechnology, Inc.

3054 Cornwallis Road

Research Triangle Park, North Carolina 27709



SIGNATURE

Edouard G. Lebel, Ph.D.

NAME

43,742

REGISTRATION NUMBER

10/522094

DT01 Rec'd PCT/FTO 24 JAN 2005

Attorney Docket No. 70059USPCT

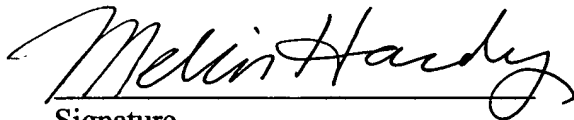
FILING BY "EXPRESS MAIL" UNDER 37 § C.F.R. 1.10

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 under Express Mail Label No. **ED 129265965 US** on January 24, 2005.

- 1) Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371
- 2) Application Data Sheet (4 pages total)
- 3) Submission of Sequence Listing Including Statement of Verification
- 4) Computer Readable Form of the Sequence Listing
- 5) Declaration: Inventorship (only for the purpose of the designation of the United States of America)
- 6) Preliminary Amendment (8 pages total)
- 7) Copy of published International Application No. PCT/EP03/008197
- 8) Copy of the International Preliminary Examination Report
- 9) Credit Card Payment Form
- 10) Return Postcard

Melissa Hardy

Name



Signature